

SUMMARY

In this item, the City Council is considering the Hearing Examiner's Recommendation to approve an application submitted by **Alamo Manhattan Properties, LLC**. The applicant seeks a rezone of a .19-acre parcel at 120 106th Avenue SE to change the zoning from Office (O) and R-30 (residential-multifamily high) to Downtown Mixed Use (DNTN-MU) to allow coordinated development of the site under the requested designation. Permit File No. 15-120842-LQ.

1. BACKGROUND

On August 3, 2015, the Bellevue City Council approved a Comprehensive Plan Amendment (File 12-127970 AC) to change the land use designation of this site from Office (O) and Residential-Multifamily High R-30 to Downtown Mixed Use (DNTN-MU), thus making the requested rezone possible. The Comprehensive Plan Amendment updated the southern downtown boundary line to make it more regular and the parcel at issue became part of the Downtown Subarea.

2. APPLICATION BEFORE EXAMINER

The Applicant, Alamo Manhattan, filed for a rezone from Office (O) and R-30 designation to Downtown Mixed Use (DNTN-MU) for the parcel at issue on August 13, 2015. Notice of Application was published on October 29, 2015. Mailing, posting and publication of the application were appropriately accomplished.

A public meeting was held on November 12, 2015. Four citizens attended the public meeting and they were provided information about the rezone process. One citizen requested information about the rezone process by email, and raised no other questions. In this process, the City received no substantive comments on the proposal from members of the public.

The Development Services Department issued a Determination of Non-Significance (DNS) under the State Environment Policy Act on February 12, 2015, upon finding that the proposal at issue would not have any probable significant adverse impact on the environment. The DNS was not appealed. The City issued a staff report and a recommendation for approval of the proposed rezone on December 17, 2015.

Upon due notice, the undersigned Hearing Examiner held a hearing in the Bellevue City Council Chambers on January 7, 2016. Elizabeth Stead, Urban Design Planning Manager, City of Bellevue, presented a staff report and testified on behalf of the City. Ms. Anna Nelson of Van Ness Feldman LLP appeared on behalf of Alamo Manhattan Properties, LLC and presented a brief statement in support of the proposal and also noted her agreement with the City's position. No public testimony was offered. The Hearing Examiner issued his Recommendation on January 22, 2016 approving the rezone application. No appeals were filed.

3. SITE CHARACTERISTICS

The proposed rezone from Office (O) and Residential-Multifamily High (R-30) to Downtown Mixed Use (DNTN-MU) will rectify the split zoning and create consistency with the Comprehensive Plan as well as the proposed southern boundary of downtown Bellevue.

The sites around the parcel at issue are zoned Downtown-Mixed Use to the north and R-30 to the south, east and west. The site currently has only a gravel parking lot and no structures. There are some steep slopes with a high point at the southern boundary.

4. COMMENTS

As noted in Section 2 above, there was no public testimony.

5. HEARING EXAMINER RECOMMENDATION

Based upon detailed Findings and Conclusions, the Hearing Examiner recommends that the application to rezone a .19 acre or 8,161 square feet located at 120 106th Avenue SE be **APPROVED**. The rezone shall be conditioned on the approval by ordinance of the Land Use Code Amendment at File 15-123469 including the revised legal description and map of the Downtown Subarea.